Vacancies of SCs/STs in judiciary

†4130. SHRI RAMADHAR KASHYAP: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of posts lying vacant at various levels as per the reservation policy for SCs/STs;

(b) the steps Government have taken to fill the same; and

(c) the number of SC/ST Judges appointed in the Supreme Court and High Courts?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) Under article 235 of the Constitution of India, the administrative control over the members of subordinate Judicial Service vests with the concerned High Court. Further, in exercise of powers conferred under proviso to article 309 read the articles 233 and 234 of the Constitution, the State Government frames rules and regulations in consultation with the High Court. The members of the State Judicial Service are governed by these rules and regulations. Therefore, the service conditions, including appointment, promotion and reservations etc., of judicial officers of the District/Subordinate Courts are governed by the respective State Governments. The Central Government is not concerned with any of the functions in this regard.

At the High Court and Supreme Court level, the appointment of the Judges of Supreme Court and High Courts are made under articles 124 and 217 of the Constitution of India, respectively, which do not provide for reservation for any caste or class of persons. No statistics is, therefore, maintained for number of Judges belonging to SC/ST/OBCs and minorities.

The Government have, however, addressed letters to the Chief Ministers of the States and the Chief Justices of the High Courts, from time to time, requesting them to locate persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, other Backward Classes, Minorities and amongst Women who are suitable for appointment as High Court Judges.

†Original notice of the question was received in Hindi.